

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

GROVANO INC., Individually and on
Behalf of All Others Similarly Situated, §
§
Plaintiffs, §
§
v. § SA-24-CV-631-JKP (HJB)
§
ROCKET ENTERPRISES, LLC, §
§
Defendant. §

ORDER

Before the Court is the status of this case. Pretrial and scheduling matters in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b). (See Docket Entry 5.)

On August 30, 2024, the undersigned held an Initial Pretrial Conference (“IPC”) at which a non-attorney representative of the Defendant appeared. The Court explained that corporations and limited liability companies cannot proceed in federal court without representation by counsel.

See Donovan v. Rd. Rangers Country Junction, Inc., 736 f2d 1004, 1005 (5th Cir. 1984). Accordingly, The IPC was reset to October 23, 2024, to allow Defendant time to hire the needed representation.

However, on the morning of October 23, 2024, Plaintiff’s attorney notified chambers of her inability to appear due to an unforeseen and urgent medical issue. And on that same date, counsel for Plaintiff moved to withdraw. (Docket Entry 16.) Counsel indicated that she believed it appropriate to withdraw immediately, would she stated that she provide additional information under seal if necessary to support her motion to withdraw. (*Id.* at 2 & nn. 1–2.)

Given the circumstances set out above, the Court finds good cause to continue the IPC. The Court will set a deadline for Plaintiff's counsel to offer additional information under seal, as well as a deadline for the parties to designate counsel to represent them henceforth.

Accordingly, it is hereby **ORDERED** as follows:

- 1) The IPC in this case is **RESET to December 12, 2024, at 3:30 p.m.** The IPC will be held by video teleconference using the Zoom video platform. On the designated date and time of the conference, the parties are directed to join the ZOOMGOV meeting, at the following address:

<https://txwd-uscourts.zoomgov.com/j/16126018188>

Meeting ID: 161 2601 8188

The parties are responsible for ensuring, **in advance of the conference**, that their video teleconference equipment is functioning and properly connects with the Court's system. Parties experiencing any technical difficulties should contact Courtroom Deputy Cindy Miranda at cindy_miranda@txwd.uscourts.gov.

- 2) Counsel for Plaintiff must offer additional information to supplement her motion to withdraw (Docket Entry 16) **on or before November 12, 2024**. The supplement must indicate whether Plaintiff opposes the motion to withdraw. If Plaintiff does not oppose the motion, new counsel for Plaintiff must enter an appearance on or before **November 22, 2024**.
- 3) Counsel for Defendant must likewise enter an appearance **on or before November 22, 2024**.
- 4) The U.S. Clerk is directed to send a copy of this Order by U.S. Certified Mail to the parties at following addresses (*see* Docket Entries 6, 7, and 16):

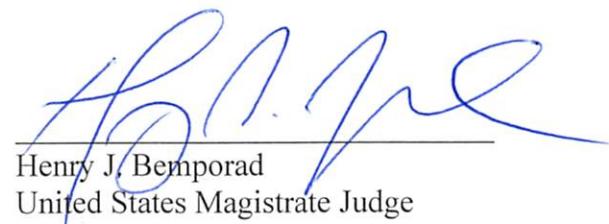
Grovano, Inc.
c/o Mark Anthny Ortega
15450 Capital Prt. Dr.
San Antonio, TX 78249

Rocket Enterprises, LLC
7803 N. Audubon Road
Indianapolis, IN 46250

Rocket Enterprises, LLC
2457 E. Washington Street, Suite D
Indianapolis, IN 46201

The parties are admonished that failure to have an attorney appear on their behalf could result in the dismissal of claims pursuant to Federal Rule of Civil Procedure 41(b) or entry of default pursuant to Federal Rule of Civil Procedure 55(a).

SIGNED on October 28, 2024.



Henry J. Bemporad
United States Magistrate Judge